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10/650,227	08/28/2003	Liam Mannion	920476-94734	6366
23644 7590 03/25/2008 BARNES & THORNBURG LLP P.O. BOX 2786 CHICAGO, IL 60690-2786				
EXAMINER				
NGUYEN, MY XUAN				
ART UNIT		PAPER NUMBER		
2617				
NOTIFICATION DATE		DELIVERY MODE		
03/25/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent-ch@btlaw.com

Office Action Summary

Application No.

10/650,227

Applicant(s)

MANNION ET AL.

Examiner

My X. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8 and 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8 and 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to applicant's amendment filed on 12/21/2007.

Claims 1-4, 6-8 and 10-15 are now pending in the present application. This action is made final.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-8 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,915,012 (Miloslavsky), and further in view of U.S. Patent 6,175,564 B1 (Miloslavsky et al., hereinafter Goecke).

Regarding claims 1, 3 and 10-12, Miloslavsky discloses the claimed:

a) receiving a contact at any one of the contact centers, said any one of the contact centers being designated a source contact center with respect to the received contact (i.e., incoming call arrives at an ACD of a first call center, Fig. 2 Elements 162, 164 & 180, Col. 2 Lines 30-33 & Col. 5 Lines 5-9);

b) sending a reservation request from the source contact center to each of the contact centers including itself at the same time, said reservation request

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being for an agent with a specified relative intrinsic value (i.e., routing server retrieves status of agents from stat-server, Col. 2 Lines 30-52 & Col. 6 Lines 46-56);

c) for said reservation request, receiving at the source contact center from each of one or more of the contact centers, a value of the specified intrinsic and an associated agent identifier (i.e., routing server retrieves status of agents from stat-server, Col. 2 Lines 30-52 & Col. 6 Lines 46-56);

d) at said designated source contact center, determining from said value of the specified intrinsic and said associated agent identifier received from said each of one or more of the contact centers a suitable agent in any of said one or more of the contact centers for processing the received contact (i.e., reserve a routing point if best available agent to handle a call is located in a second call center, Col. 2 Lines 30-52 & Col. 6 Lines 46-56);

e) routing the received contact from the designated contact center to said suitable agent (Col. 2 Lines 41-45).

As applicant has noted in applicant's Remarks filed 07/16/2007, ...Miloslavsky [discloses] that, upon receiving a call at a switch, a CTI server associated with the switch passes information to the routing server and statistics database and it is the routing server that selects an agent and then controls routing of the received contact from the call receiving switch to another switch. The routing server 192, the statistics server 190

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and the database 194 are *all common to the network* of switches (and their associated CTI servers)... (Remarks, Page 8)

However, Goecke discloses a call center 5100 wherein a stat-server 5140, a routing server 5142 and a database 5144 (Fig. 19) are all *unique* to the call center 5100.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to implement the feature of Goecke with the system of Miloslavsky because the feature of having network elements (i.e., stat-server, routing server and database) unique to a call center is old and well known in the prior art. The reference of Miloslavsky discloses call centers depending on the common network elements of a stat-server, routing server and database (Fig. 2, Elements 190, 192 & 194). Since Goecke discloses call centers comprising the elements of a stat-server, routing server and database (Fig. 19 Elements 5140, 5142 & 5144), it would have been obvious to one with ordinary skill in the art to combine the references to prompt a predictable variation of design choice of the call center(s).

Claim 2 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed specified intrinsic is selected from nodal longest idle agent, average answer delay and calls queued count (Col. 2 Lines 33-38 & Col. 6 Lines 46-56).

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Claim 4 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses claimed canceling unused reservations (Col. 2 Lines 30-52, it is inherent that an unused reservation is canceled).

Claim 6 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed receiving at the source contact center is carried out in a pre-specified time interval (Col. 6 Lines 52-65).

Claim 7 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed contact is associated with a specified network skillset and wherein said reservation request is also for agents of that specified skillset (Col. 2 Lines 30-52, Col. 6 Lines 46-56 & Col. 7 Lines 50-65).

Claim 8 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed determining at the source contact center a network longest idle agent (Col. 7 Lines 54-58).

Claim 13 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed contact centers comprises a contact center server and a switch (Fig. 2 Elements 168, 182, 170 & 184).

Claim 14 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed contact center servers being linked to one another by a

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first part of said communications network (Fig. 2 Elements 190 & 192) and said switches being linked to one another by a second part of said communications network (Fig. 2 Element 188), said first and second parts being substantially isolated from one another (Fig. 2).

Claim 15 is met by Miloslavsky and Goecke, wherein Miloslavsky discloses the claimed contact center server is connected to its associated switch using a dedicated embedded local area network connection (Fig. 2 Elements 172 & 186).

Response to Arguments

3. Applicant's arguments filed 12/21/2007 have been fully considered but they are not persuasive.
4. Regarding applicant's arguments that "where is it disclosed...that a contact center receiving a contact is designated as a source contact center with respect to the received contact?" (Applicant's Remarks, Pages 6 & 7), it should be noted it is understood the designation of a contact center being the claimed "source contact center" is determined by way of which contact center the call is originally routed/placed. Particularly, Miloslavsky discloses an incoming call arrives at an automatic call distributor of a first call center (Col. 2 Lines 30-33 & Col. 5 Lines 5-9)." Being that the incoming call arrives at what is taught by Miloslavsky as a "first call center," the above recitations are understood to disclose the claimed receiving a contact at any one of the contact centers, said

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any one of the contact centers being designated a source contact center with respect to the received contact. (e.g., in a system in which two call centers exist, a "first call center" is used interchangeably with a "second call center" as taught by Miloslavsky depending upon which call center an incoming call is originally directed to).

5. Regarding applicant's argument that "where is it disclosed...that a contact center sends a reservation request from the source contact center to each of the contact centers including itself at the same time?", it should be noted the claimed "reservation request" is understood (in view of claim limitation c) of claim 1) to initiate a request for the claimed specified relative intrinsic value associated with agents. Miloslavsky discloses sending [an incoming call] information to a stat server and routing server wherein the stat server retrieves information regarding the status of agents (from various call centers). In combination of Miloslavsky in view of Goecke, the sending of incoming call information to a stat server is understood as the claimed "sends a reservation request from the source contact center to each of the contact centers including itself at the same time."

6. Regarding applicant's argument that "where is it disclosed... that a contact center designated as a source contact center for a received contact itself receives from each of one or more of the other contact centers a value of a specific intrinsic and an agent identifier?", in light of examiner's above response it should be clear how Miloslavsky discloses the claimed "source contact center." Furthermore, Miloslavsky discloses sending [an incoming call] information to a stat server and routing server wherein the stat server retrieves information

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regarding the status of agents (from various call centers), understood as the claimed contact center designated as a source contact center for a received contact itself receives from each of one or more of the other contact centers a value of a specific intrinsic and an agent identifier. It should be further noted various entities in a call center are associated with software objects, wherein agents are identified by an AgentID (Col. 5 Lines 26-28, 58 & 59).

7. Regarding applicant's argument that "where is it disclosed...that a contact center designated as a source contact center for a received contact itself determines a suitable agent to receive a call?", in light of examiner's above response it should be clear how Miloslavsky discloses the claimed "source contact center." Furthermore, Miloslavsky discloses reserving a routing point if a best available agent to handle a call is located in a second call center (Col. 2 Lines 30-52 & Col. 6 Lines 46-56), understood as the claimed contact center designated as a source contact center for a received contact itself determines a suitable agent to receive a call.

8. Though Miloslavsky alone discloses a routing subsystem that which resides common to all contact centers, Goecke discloses such a routing subsystem as being unique to each call center and as such Goecke suggests it would have been obvious to one with ordinary skill in the art at the time the invention was made to implement the features of Goecke with the system of Miloslavsky. Applicant asserts that Goecke does not disclose a network level routing system and further asserts that Miloslavsky is provided to address problems of prior art systems where the contact centers have their own routing

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subsystems (i.e., applicant's citation of column 3 line 66 to column 4 line 4 of Miloslavsky); however examiner disagrees. Though the routing subsystem of Goecke is unique to each call center it would be incorrect to assert that such routing only takes place within the contact center. Goecke clearly discloses the routing of calls to agents *at any call center* (Abstract) which suggests that the system of Goecke is a network between a plurality of contact centers. With regard to applicant referring to column 3 line 66 to column 4 line 4 of Miloslavsky as provided to address problems of prior art subsystems where the contact centers have their own routing subsystems, examiner disagrees with applicant's assertion. Miloslavsky discloses the problem of prior art systems is such that prior art systems cannot route calls to an agent located in another call center (i.e., only able to route calls locally) whereas applicant asserts placing such a routing subsystem unique to each call center (as Goecke suggests) would suggest a "retrograde" and therefore the inability to route to other call centers. In light of examiner's above response, it is understood Goecke discloses routing amongst a plurality of call centers.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory

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action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is (571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. X. N./
Examiner, Art Unit 2617
03/13/2008

/George Eng/
Supervisory Patent Examiner, Art Unit 2617